

32210-6-III
92215-2

NO.

SUPREME COURT OF THE STATE OF WASHINGTON

DEPARTMENT OF LABOR AND
INDUSTRIES,

Petitioner,

v.

JOSE BIRRUETA,

Respondent.

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SUPREME COURT
STATE OF WASHINGTON
Sep 04, 2015, 3:08 pm
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The Department of Labor and Industries provides an amended petition for review in this case to correct an inadvertent omission in its original petition. A line of text was inadvertently omitted on pages 9-10 of the petition for review filed on August 27, 2015. Beginning on the bottom of page 9, the original petition mistakenly read:

Although the Court of Appeals did not reach the issue, subsection (1)(a) also authorizes the Department to correct the misrepresented fact that month going forward, the Department would have to overpay pension benefits to Birrueta and then, at least annually under RCW 51.32.240(1)(a), issue an overpayment order to recoup the overpaid benefits.

Pet. 9-10.

The petition should read as follows, with the inadvertently omitted text appearing in italics:

Although the Court of Appeals did not reach the issue, subsection (1)(a) also authorizes the Department to

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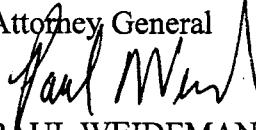
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correct the misrepresented fact that *causes the overpayments. Otherwise, an absurd result would occur.* Each month going forward, the Department would have to overpay pension benefits to Birrueta and then, at least annually under RCW 51.32.240(1)(a), issue an overpayment order to recoup the overpaid benefits.

This inadvertent omission also caused the final line on page 10 of the petition to be repeated as the first line on page 11. For the Court's convenience, the Department attaches an amended petition that corrects these errors.

DATED this 4th day of September, 2015.

ROBERT W. FERGUSON
Attorney General



PAUL WEIDEMAN
Assistant Attorney General
WSBA No. 42254
Office Id. No. 91018
(206) 389-3820